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14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 SAN FRANCISCO DIVISION

18 3taps, Inc.,

19 Plaintiff,

20 vs.

21 LinkedIn Corporation,

22 Defendant.

Case No. 18-cv-00855-EMC

**STIPULATION AND [PROPOSED]
ORDER CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE**

Judge: Hon. Edward M. Chen

Action Filed: February 8, 2018

Trial Date: None Set

1 WHEREAS, Plaintiff 3taps, Inc. (“3taps”) filed the complaint in the above-captioned
2 action against Defendant LinkedIn Corporation (“LinkedIn”) on February 8, 2018 (“Complaint,”
3 ECF No. 1);

4 WHEREAS, on February 23, 2018, the 3taps Action was reassigned to this Court as related
5 to *hiQ Labs, Inc. v. LinkedIn Corp.*, No. 17-cv-03301-EMC (the “hiQ Action”) (*see* ECF No. 97 in
6 No. 17-cv-03301-EMC) (the “hiQ Action”);

7 WHEREAS, an appeal in the hiQ Action is currently pending in the Court of Appeals for
8 the Ninth Circuit, and the hiQ Action is currently stayed pending resolution of that appeal (No. 17-
9 16783, the “hiQ Appeal”);

10 WHEREAS, pursuant to stipulation, the Court stayed the above-captioned action pending
11 the resolution of the hiQ Appeal (ECF No. 10, the “Stay Order”);

12 WHEREAS, oral argument in the hiQ Appeal was held on March 15, 2018;

13 WHEREAS, the Ninth Circuit has yet to resolve the hiQ Appeal;

14 WHEREAS, the initial case management conference in the above-captioned matter is
15 currently scheduled for November 5, 2018 at 10:30 a.m.;

16 NOW, THEREFORE, FOR GOOD CAUSE, IT IS HEREBY STIPULATED AND
17 AGREED:

18 1. The November 5, 2018 initial Case Management Conference is continued to
19 February 7, 2019 at 9:30 a.m.

20 2. Nothing in this stipulation is intended to displace any provisions of the Stay
21 Order (ECF No. 10).

1 DATED: October 17, 2018

THE LAW OFFICES OF THOMAS V.
CHRISTOPHER

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3
4 By: /s/ Thomas V. Christopher
THOMAS V. CHRISTOPHER

5 *Attorneys for Plaintiff 3taps, Inc.*

6
7 DATED: October 17, 2018

MUNGER, TOLLES & OLSON LLP

8
9
10 By: /s/ Jonathan H. Blavin
JONATHAN H. BLAVIN

11 *Attorneys for Defendant LinkedIn Corporation*

12
13 **N.D. Cal. Civil Local Rule 5-1 Attestation**

14 I, Jonathan H. Blavin, am the ECF user whose credentials were utilized in the electronic
15 filing of this document. In accordance with N.D. Cal. Civil Local Rule 5-1, I hereby attest that
16 Thomas V. Christopher concurred in the filing of this document.

17
18 /s/ Jonathan H. Blavin
Jonathan H. Blavin

19
20
21 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

22
23
24 DATED: October __, 2018

25
26 The Honorable Edward M. Chen